

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Lathrop et al.)	Examiner:
)	Gary W. Counts
Serial No. : 10/823,888)	Art Unit:
)	1641
Cnfrm. No. : 7107)	
)	
Filed : April 14, 2004)	
)	
For : METHODS FOR IDENTIFYING LIGANDS)	
SPECIFIC FOR STRUCTURAL ISOFORMS)	
OF PROTEINS)	
)	

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the January 12, 2007, written restriction requirement, applicants hereby elect Group III (i.e., claims 1-16, 18-19, and SEQ ID NO:3), with traverse.

Applicants submit that the 22 groups of claims of the present application (identified on pages 2-4 of the outstanding office action) are closely related and, therefore, require common areas of search and consideration. In particular, the claims of the present application are all directed to a method of identifying a ligand having binding specificity for a protein isoform in a sample. The 22 sequences mentioned in claim 17 are used as examples of ligands which may be obtained by the claimed method. Thus, the appropriate treatment in this instance is examination of claims 1-16 in their entirety, with the species of SEQ ID NO:3 being elected as a species for purposes of initial search and examination.

Applicants further submit that the restriction requirement is improper because generic claim 1 is a linking claim that links together the members of the Markush group of claim 17 (*see MPEP § 809*). To the extent the U.S. Patent and Trademark Office refuses to withdraw the written restriction requirement, applicants respectfully submit that rejoinder of Groups I-II and IV-XXII is warranted upon allowance of independent claim 1 (*see MPEP § 809*).

For the above reasons, the written restriction requirement is improper and, therefore, applicants respectfully request that the written restriction requirement be withdrawn in its entirety.

Respectfully submitted,

Date: March 8, 2007

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